

REMARKS

Claims 1-13 remain in the application for consideration. Claims 1, 4, 5, 7-9 and 11-13 are herein amended. Claims 10 and 14-17 are canceled. No new claims have been added. No new matter is added by these amendments.

At the outset, the Examiner indicated that copies of the references cited on the Information Disclosure Statement filed May 16, 2003 were not present in the file. Applicants submit that the submitted Information Disclosure Statement did include copies of the cited references, contrary to the Examiner's assertion. Applicants respectfully point to the statement on the Information Disclosure Letter, submitted May 16, 2003 (Page 3, following Reference 21, that "Applicants submit that copies of the above-cited references are enclosed herewith". Nevertheless, per the Examiner's request, we now enclose an additional copy of each reference indicated as not received by the Examiner, and a new information disclosure statement enumerating these references. Applicants respectfully request consideration of these references.

Claim Objections

Claims 4, 10, 11, and 12 were objected to because the word "immobilized" was misspelled in these claims. Applicants wish

to thank the Examiner for pointing out this typographical error. Claims 4, 11 and 12 are herein amended to correct the misspelling. By this amendment, Applicants submit this objection is overcome and respectfully request the Examiner to withdraw the objection as applied to claims 4, 11 and 12. As claim 10 is canceled herein, the objection as applied to that claim has been rendered moot.

Rejections under 35 USC §112

Claims 1-13 were rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner indicates that the claims fail to set forth any active method steps involved in the process and therefore it is unclear what method or process Applicant is intending to encompass.

To clarify the method of the presently claimed invention, claim 1 has been amended to recite:

A method for the selection of one or more desired polypeptides comprising:

(a) providing a solid support having immobilized nucleic acid molecules thereon, the solid support comprising a binding molecule capable of interacting with

at least the desired polypeptide or a molecule attached thereto;

(b) producing polypeptides from said immobilized nucleic acid molecules by cell free expression, said desired polypeptides interacting with said binding molecule;

(c) isolating the solid support carrying both the desired polypeptide and the nucleic acid encoding it; and optionally

(d) recovering said nucleic acid and/or said desired polypeptide.

Additionally, claims 5, 7-9 and 11-13 are herein amended to correspond to amended claim 1 and to further clarify the claimed invention. No new matter is added by these amendments.

Applicants now submit that the claims explicitly recite positive method steps, and that this rejection is overcome.

Rejections under 35 USC §102

Claims 1-13 were rejected under 35 USC §102(b) as allegedly being anticipated by International Patent Application Number WO 98/54312 to Taussig, et al. Applicants respectfully traverse the rejection.

Taussig et al. discloses a ribosome display technology whereby a DNA sequence engineered to lack a stop codon is

expressed in a coupled transcription/translation system. The absence of the stop codon causes the ribosome to "stall" at the 3' end of the mRNA being translated without disassociation of the ribosome complex from the mRNA. (See page 7, lines 1-6). The failure of the ribosome to disassociate from the mRNA results in a stable mRNA/ribosome/expressed protein complex. This technology is known as ARM (antibody-ribosome-mRNA) display. (See page 6, lines 1-3).

In contrast, amended claim 1, and the claims dependent therefrom, now recite:

A method for the selection of one or more desired polypeptides comprising:

(a) providing a solid support having immobilized nucleic acid molecules thereon, the solid support comprising a binding molecule capable of interacting with at least the desired polypeptide or a molecule attached thereto;

(b) producing polypeptides from said immobilized nucleic acid molecules by cell free expression, said desired polypeptides interacting with said binding molecule;

(c) isolating the solid support carrying both the desired polypeptide and the nucleic acid encoding it; and optionally

(d) recovering said nucleic acid and/or said desired polypeptide.

Thus, in the present invention, nucleic acids immobilized on a solid support are translated and the protein products bind to a separate binding protein also bound to the solid support.

Applicants submit that there are significant differences that distinguish the presently claimed invention from Taussig et al. First, Taussig et al. does not teach a separate binding molecule bound to a solid support that is capable of interacting with the desired polypeptides. The ribosome disclosed by

Taussig et al. does not possess a separate binding molecule that permits interaction between the ribosome and the desired polypeptides, as disclosed and particularly claimed in the present invention. Further, Taussig et al. does not teach that the desired polypeptides interact with the binding molecule. On the contrary, Taussig discloses that the antibody portion is the nascent polypeptide, and no separate binding protein is employed.

Accordingly, Applicants submit that Taussig et al. does not anticipate the presently claimed invention, and that this rejection is overcome.

Applicants now submit that the application is in condition for allowance, and reconsideration and a timely Notice of Allowance is earnestly solicited.

If the Examiner believes a telephone conference would aid in the continued prosecution of this application, the Examiner is invited and encouraged to contact Applicants' representative at the telephone number listed below.

Any fees due with this Reply may be charged to Deposit
Account **23-1665** under Customer Number **27267**.

Respectfully submitted,

PER-AKE NYGREN, ET AL.

By Todd E. Garabedian
Todd E. Garabedian, Ph.D.
Registration No. 39,197
Attorney for Applicants

WIGGIN and DANA LLP
One Century Tower
New Haven, CT 06508
Telephone: (203) 498-4400
Fax: (203) 782-2889

Date: 11 APR 2005